IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.3051 OF 2005
IN
APPEAL (L) NO.539 of 2005
IN
NOTICE OF MOTION NO. 3480 OF 2004
IN
SUIT NO. 3443 OF 2004

Mohan Rocky Spring Water
Breweries Ltd. .. Applicant

V/s

Shah Wallace & Co. Ltd. .. Respondent

Shri.S.J.Khara for the Applicant.

CORAM : DR.S.RADHAKRISHNAN &

S.J.VAZIFDAR, JJ.

DATE : 10TH MARCH, 2006.

P.C.:

1. Heard the learned Counsel for the Applicant.

None appears for the Respondent though served. By this Notice of Motion, the Applicant is seeking condonation of 102 days delay. Perused the Notice of Motion and the affidavit-in-support thereof. For the reasons stated in the affidavit-in-support of the Notice of Motion, sufficient cause is made out for condoning the delay. There is no case of inaction, negligence or want of bonafide on the part of the Applicant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

(DR.S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)